

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

HYSITRON INCORPORATED,
a Minnesota corporation,

Plaintiff,

v.

MTS SYSTEMS CORPORATION,
a Minnesota corporation,

Defendant.

Civil No. 07-cv-01533 (ADM/AJB)

**DECLARATION OF
BRENT LORENTZ IN SUPPORT
OF RENEWED MOTION FOR
STAY**

Brent Lorentz states and declares as follows:

1. I am an associate in the law firm of Winthrop & Weinstine and represent Plaintiff MTS Systems Corporation (“MTS”) in the above-captioned matter.
2. Attached hereto as Exhibit 1 is a true and correct copy of U.S. Patent No. 5,553,486.
3. Attached hereto as Exhibit 2 is a true and correct copy of U.S. Patent No. 6,026,677.
4. Attached hereto as Exhibit 3 is a true and correct copy of the Order Granting Request For Ex Parte Reexamination of U.S. Patent No. 5,553,486.
5. Attached hereto as Exhibit 4 is a true and correct copy of the Order Granting Request For Ex Parte Reexamination of U.S. Patent No. 6,026,677.
6. Attached hereto as Exhibit 5 is a true and correct copy of the Notice of Intent to Issue Ex Parte Reexamination Certificate for U.S. Patent No. 5,553,486.

7. Attached hereto as Exhibit 6 is a true and correct copy of Todd, J.D. and Pethica, J.B., “A Shear Model for STM Imaging of Layered Materials”, J. Phys.: Condens. Matter 1, pp. 9823-9831 (1989).

8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from Hysitron Incorporated’s Amended Claim Charts.

9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from Plaintiff’s Answers to Defendant’s Second Set of Interrogatories, Requests For Documents and Things, and Requests For Admissions.

10. Attached hereto as Exhibit 9 is a true and correct copy of the unpublished case *Magna Donnelly Corp. v. Pilkington N. Am., Inc.*, 2007 U.S. Dist. LEXIS 17536 (W.D. Mich. Mar. 12, 2007).

I declare under penalty of perjury that the foregoing is based on my personal knowledge and belief and is true and correct. Executed on this 15th day of July, 2008 at Minneapolis, Minnesota.

s/Brent Lorentz
Brent Lorentz

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